RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Recommendations of the Minor Irrigation Committee – (*contd*).

MR. S. J. NAIR (*Nedumangad*) : I support the resolution. I was pointing out yesterday that there are four systems of paddy cultivation in vogue in the State; the Nanjinad system, the Punja system, the Nilamkrishi system and the Malankrishi system. As for the Nanjinad system since the starting of Kodayar Irrigation it is no more in need of water. For the Malankrishi system it depends upon the southwest monsoon. As for the Nilamkrishi system that needs the help of the Minor Irrigation works. This system is very often found in the eastern and central taluks in the State such as Kottarakara, Nedumangad, Chirayinkil, Neyyattinkara and Trivandrum. Of all these taluks, the most neglected in the matter of providing water for paddy cultivation are the taluks of Nedumangad and Chirayinkil. In recent times not a single *chira*, *todu* or *ana* has been improved in Nedumangad taluk in order to promote paddy cultivation in the taluk, so much so the people are often found converting excellent paddy lands into garden lands with a view to plant tapioca, plantain, cocoanuts, and arecanut trees. It is a sad spectacle to see the excellent paddy fields being converted into garden lands simply because the Irrigation Department does not bestow any attention to provide water to help and promote paddy cultivation in the Nedumangad taluk. The representatives of the two taluks, Nedumangad and Chirayinkil, have been representing and crying loud to see that in these two taluks, the *chiras*, *todus* and *anas* are improved for the purpose of paddy cultivation. But the department has not bestowed any attention at all for the purpose.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether these two taluks are grouped together for the coming election?

MR. S. J. NAIR (*Nedumangad*) : Yes, they are. Even apart from the election question, there is only one road separating these two taluks. What the people of Nedumangad taluk require are the construction of more and more roads to help means of communication and the improvement of more and more *anas* and *chiras* for the purpose of paddy cultivation, and the starting up of more and more schools for the purpose of educating the children. These three things are not at all properly attended to by the authorities concerned. Travancore has been importing paddy in an enormous measure. It is essential that the production of rice must be made self-sufficient; the State should be made self-supporting so far as the production of paddy is concerned. Recommendation No. 3 of the Minor Irrigation Committee reads thus :—

> "The necessary investigation should be conducted in order to explore all possible means of extending paddy cultivation in the State."

So far as this recommendation is concerned, I may submit for the information of the House that it has not yet been carried out; and it is essential that this recommendation is explored to its fullest extent and brought to effect. With these words, I support the resolution so ably moved by Mr. Asan.

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MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I have the greatest pleasure in supporting this resolution. The question of Minor Irrigation has been engaging the attention of various members on this side of the House and I myself have invited the attention of the House to this matter on several occasions. The difficulty in working out the Regulation of 1072 has been explained by the mover himself on account of the cumbersome nature of the rules and proceedings as laid down in the Regulation. I may say it is almost impracticable. Although the Regulation was passed so early as 1072 no appreciable work has so far been done towards the cause of Minor Irrigation. As a result of continued agitation on the part of the public, Government appointed a Committee in 1930. The terms of reference were mainly three: *viz.*, to investigate facilities and possibilities for Minor Irrigation, to find out whether a separate agency is required to carry out this work, and to submit proposals for amending the Regulation of 1072 as it was found unworkable.

The Committee did full justice to the work entrusted to them, and submitted their valuable report containing their recommendations which are under discussion now. It is very regretable that the Government, after receiving the report of the committee, did not pay any heed to the serious recommendations of the committee. This attitude of Government is manifested not only in this case but in the cases of the recommendations of several other committees also. Well in this case, Government at least partly accepted some of the recommendations, but there again I have to point out that the Government accepted those that ought to have come subsequently. As has been rightly remarked by Mr. Thanu Pillai during the course of another discussion yesterday, the Government were putting the cart before the horse. The main recommendation of the committee was to make immediately the necessary changes in the Regulation of 1072. Instead of doing that they accepted the recommendation of separating the Irrigation Department from the P. W. D., with the result that the Irrigation Department had to keep quiet as of old without doing any work, because of the cumbersome provisions in the Regulation. I hope that the Government will pay heed to the spirit of this resolution at least now and do the needful as early as possible, as the question is a vital one.

With regard to the special claims of my constituency, I may bring to the attention of this House, certain very important facts. As has been remarked by my friend Mr. S. J. Nair with regard to his constituency, I may also say that no where else is the necessity for minor irrigation works keenly felt as in the taluks of Kunnatnad and Muvattupuzha. The taluk of Kunnatnad alone comprises 61,000 and odd acres of paddy fields. In Muvattupuzha there are 46,000 and odd acres of paddy fields. These two taluks stand first and third in order of rice producing taluks. Hence the magnitude of the problem is most keenly felt in these areas. The people there are using a very primitive system of irrigation. The seriousness of the problem has reached a climax in these taluks on account of the law of individual

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[Mr. K. M. Kuriakose.]

partition existing amongst the ryots there. The majority of the population are Christians. The system of individual partition was in vogue among them even before the advent of the Nair Regulation. The source of irrigation continues to be one while the holdings are now disintegrated and owned by many. The improvement of the common source of irrigation would be thought of only if the several holders join together which is almost impracticable. That is a very difficult problem and unless the Government come to the rescue of the ryots it is very difficult for the paddy cultivators to join together and improve the common source of irrigation. That is a very serious state of affairs. Mr. S. J. Nair said that many acres of paddy land were left uncultivated because of the want of proper irrigation facilities; and were being converted into garden land. This is a very alarming state of affairs, as Travancore has to import a considerable quantity of rice every year for the food of its people.

Now Sir, in this connection, I wish to submit, for the serious attention of the Government, that in order to solve this question of Minor Irrigation, as well as some other very necessary local questions which the Government find it difficult to solve, Village Panchayats must be establised. That was also a point discussed by the committee. Though the Village Panchayat Regulation was passed very long ago the Village Panchayat system has had the least encouragement from the Government. Look at the sister State of Cochin. The Village Panchayat system there is worked very properly and with very good results. There, works such as the construction and improvement of village roads, canals, tanks and *chiras* are all done by these Panchayats. As the institution is one most beneficial to the peop'e it is up to Government to encourage it. I sincerely hope that this problem will be solved by the institution of the Village Panchayat system alone, and that Government will pay their early attention to adopt effective measures to encourage the establishments of Village Panchayats in all taluks immediately and subsequently in all *pakuthies*. With these words I support the resolution.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I wish to say a few words on this resolution. The committee submitted its report in October 1931. Two of their main recommendations have already been given effect to by Government. One relates to the formation of a separate Irrigation Division, and the other the formation of a separate Irrigation Fund. The other main recommendations of the committee, which to me appear to be substantial recommendations have not been given effect to. These two recommendations are only subsidiary in the sense that they are required only to give effect to the other main recommendations. The Government made a serious mistake in not giving effect to the substantial recommendations before forming a separate Irrigation Division. What is the result of forming a separate Division? In 1109 when the new Division was formed, it was able to spend Rs. 51,000 and odd on protective irrigation. In 1110 a sum of Rs, 2,45,000 was allotted for new works, of which the department was able to spend only Rs. 1,02,000. In 1111, a sum of Rs. 2,77,000 was allotted for original works such as the restoration of tanks and channels.

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Of this they were able to spend only Rs. 1,50,000. I should submit that it is disgraceful on the part of the department not to spend even these small amounts that were allotted. Now, to spend 1½ lakhs of rupees in 1111, there were 1 Executive Engineer, 2 or 3 Assistant Engineers and a number of Supervisors. Their pay itself consumes a large amount of money. I do not know what substantial work they have done. I think there is something radically wrong in the whole system. As for the fund that the committee recommended I wish to say a few words. The fund is allowed to accumulate and very little is actually spent every year. Now Sir, what is the casue for this state of affairs. This question has been discussed on the floor of this House very many times. At least half a dozen times in a year this matter happens to be discussed. Still the Government do not seem to grasp the real significance of the discussion or the real importance of the subject.

Sir, what I want to say at this juncture is that the Government will do well to realise that the solution of this irrigation problem by adequate means, though the work may seem to be unostentatious, will be a very very substantial means of improving the conditions of the ryots of the State.

In very many taluks, irrigation tanks form the real mainstay, I may say, of cultivation. The Land Revenue Department might be perhaps aware that during the last few years crops were almost continuously failing in 5 or 6 places. What was it due to? That was due mainly because of the fact that these irrigation tanks were not kept in good repair. The taluks of Chirayinkil, Nedumangad, Trivandrum, Neyyattinkara and Vilavankod, especially, suffer very much. There are remission rules which are not really helpful to the cultivators. The restoration of these tanks is a matter of very great importance. Of course, I speak on this motion not because I have anything new to say on it, which has not already been placed before Government, or which the other members of this House or Government themselves do not know. But because Government themselves attach very great importance to the question of minor irrigation. There is one particular recommendation of the committee which is noteworthy. On page 33 of the report there is a recommendation which runs as follows:—

> "It shall be the duty of the Irrigation Officer to consult the interested ryots as to the nature of the works to be done and get completion certificates in respect of the minor irrigation works, signed by the representatives of the ryots".

That seems to me to be a very important recommendation. There is a wide-spread complaint that these irrigation works, especially in connection with tanks, are not at all done satisfactorily, and very little supervision is exercised, with the result that no sooner a work is said to be complete than it becomes useless and lapses into its old condition of disrepair. The absence of supervision is due to these tanks being situated, more often, about two or three miles from the main roads so situated, more often, about two or three miles from the main roads so that it becomes impossible for the highly paid Engineers to go to those places in their motor cars; they can be approached only after walking

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[Mr. A. Thanu Pillai.]

3 or 4 miles. The real interest that an officer of the department takes on the welfare of the ryots can certainly be assessed by his readiness to go to these places to inspect the works. I doubt whether the Executive Engineers or the Assistant Engineers really take the trouble to do so. They leave this item of their duty to their subordinates. I do not know whether Government have issued any instructions in the matter. Works are done very unsatisfactorily. The ryots are not benefited at all. Sir, there is absolutely no exaggeration in saying that the ryots think that the irrigation tank that is repaired by the department becomes more useless after repair than it was before. This is true in the case of most of these tanks. It was last year, I think, that I took the Chief Engineer to one of those tanks. I myself went to the tank and I was satisfied. Then I took the Chief Engineer to the place. He told me something by way of accusing the subordinate officers. I do not know what more he did. This is true not only of this tank but of all tanks. The whole work is neglected. This is one of the most important and helpful things that Government can do under existing conditions. Officers must be made to do their work; and whoever is found to neglect his duty should be seriously dealt with. There is no other way.

Government should also see that sufficient funds are allotted, and that whatever is allotted is spent. What is the meaning of maintaining a large staff if no work is done? Government published a Bill about 6 years after the recommendations of the committee were received. Let us deal with it as early as possible and see that something useful to the ryots is done by Government. With these words, I support this resolution.

SADASYA TILAKA T. K. VELU PILLAI (*Trivandrum—Urban*): Sir I also support the resolution before the House. A good many facts have been stated by honourable members of this House in the course of the discussion. I propose to confine my remarks to a certain aspect of the matter which has not been adverted to. I was a member of the Trivandrum Minor Irrigation Committee about twelve or 15 years ago, and along with other members I took the trouble of visiting various places. Recently I have had an occasion to travel the whole country, and I can endorse the opinion expressed by Mr. Kuriakose and others that there is necessity for protecting Minor Irrigation Works, in Trivandrum, Nedumangad and other taluks. There is equal necessity for protective works in the northern taluks as well, though they did not press their claims as was done by the people in some other parts. Minor irrigation tanks were being cared for by the Government long long ago, and large sums were being allotted for their maintenance. At that time the Dewan Peishkar was the officer who had to look after the interests of the cultivators. The division of Governmental activities among the various Departments did not then prevail. At present, as is well known there is the Dewan Peishkar to look after the collection of revenue; the Director of Agriculture performs experiments and tries to make some demonstrations, the Public Works

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Department is in charge of construction, maintenance and so forth. This divided authority makes it impossible for anybody to take a general interest in the question of minor irrigation. When matters are placed before Government, they always try to help the cultivators by giving directions to these authorities. There has been a policy of drift. What do we see ? We see that almost all irrigation tanks have been filled up. It is not the neglect of the ryots alone; it is not the indifference of the Government Officers alone; but there are certain natural causes which has made these tanks useless. During the last 30 or 40 years, so much new lands has been brought under the plough and spade. The earth and debris washed down by the rivers at the time of flood find their way into the level country, and the earth so brought down has filled up many of the tanks. Even in the plains there is so much extension of cultivation that we find practically an avalanche of earth coming down. That is the real thing, so far as I am aware, that has to be combated. The trouble, however, is not peculiar to Travancore. In the Punjab also, we find that there is this trouble. But there is no reason why we shall not do something to combat the evil. Spend as much as you like ; but, if protective works of a proper character are not maintained, the money spent on these tanks would be lost. More than that, there is an attitude of mind on the part of the people themselves to take advantage of the indifference of the Government by encroaching upon *poramboke* lands. I cannot but point out that for 50 or 60 years Revenue Officers have not taken sufficient interest in safeguarding and conserving the resources of the State. I do not want to talk at length on this motion, but always, in the history of the world, anybody who meddled with irrigation tanks received the highest penalty under the law. The filling of tanks was severely punished. That was what was being done even about 3,000 years ago. In the years 1045 to 1050, the Travancore Government felt the necessity for protecting these tanks; but in spite of that, they have been neglected. I do find that Government are anxious to take prompt action in everything that will help the cultivator. I take advantage of this renaissance on the part of the Government to place before them this serious question *viz.*, that the tanks are all in very miserable condition, that, even if they are deepened, they would prove useless unless proper measures are devised to prevent earth and debris from falling in and filling them. With these words, I support the resolution.

MR. K. R. ELENKATH (*Kalkulam I*)) : Sir, I wish to make a few observations on this resolution. The main difficulty is due to the want of powers for the P. W. D. officers to summarily deal with cases of encroachment, and for the Revenue officers to prohibit the registry of tanks, and also due to the present rules relating to the remission of taxes. It has been a very serious complaint that the channels and tanks that are the main sources of irrigation are sometimes destroyed and have even ceased to exist as a result of encroachment made by the adjoining owners. This has been observed by the Committee. They say :—

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[Mr. K. R. Elenkath.

"The majority of these useful works have been continually neglected with the result that many of them are silted up and encroached in varying degrees ranging from partial to absolute deterioration, so far as their usefulness as irrigation works is concerned".

It is a very serious question; and for no fault of the owners of the fields for whose benefit these tanks and channels exist, the owners of land just adjoining these sources of irrigation, owing to their indiscriminate action and selfish interest, their greed to earn properties by unfair means, make encroachments on these useful *poramboke* and put the interested ryots to great trouble. I have personal experience in the matter with regard to some lands in South Travancore, where even when it was proved that owing to rains the banks of certain fields had to yield, Government could not take any action on this ground. When I placed this matter, on behalf of some of the ryots, before the Chief Engineer, what he told me was that these breaches occurred in the previous year and that they were well guarded and well rebuilt with hard stones so that they would not yield unless interfered with by the adjoining cultivators for interests of their own; he said that, unless power was vested with the P. W. Department to deal with such cases, there would be no protection. Some ryots without caring for the interests of their own brethren, are even prepared to demolish the banks of channels for their own ends. When there is a huge flood, the owner very near the current breaks open the bank and diverts the current through another man's field, for fear that in the long run, it might lead to a breach which might result in his own field being filled with water. This even leads to some riots among the ryots; because it is a life and death question for the ordinary cultivator who, when he is deliberately ruined by the neighbour, is prepared even to risk his life and resort to violence. It is not a small matter.

In regard to the remission rules, the Irrigation Committee made strong recommendations, and in this Assembly that motion about their recommendations was passed almost unanimously by the non-official members. It was said by the official benches that Government have the power and they do generally relieve agriculturists by remission of tax whenever it is found that they really deserve it. But, Sir, it is left to the grace of the Government. My point is that the remission rules should be so framed that the agriculturists could claim remission as a right.

(At this stage the President left the Hall and the Deputy President took the Chair.)

It is a very important matter. The departmental authorities can proceed under the rules and get it sanctioned. In some parts of South Travancore there is no provi ion for the remission of tax even where the ryots were not able to cultivate the lands on account of reasons beyond their control. In some cases Government themselves were aware that the lands had not been cultivated, because they themselves have given notice that water was not available. Yet remission was not given. My request is that the rules should be so amended that the ryots will get remission when they do not cultivate the lands. With these words, I support the resolution.

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MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I support the resolution. I wish to make one or two observations with reference to Ambalapuzha and Shertala. In these two taluks *punja* cultivation and *nilamkrishi* are in vogue. Tanks are not necessary there. It is drainage of water that is needed. The Minor Irrigation Committee has classified the systems of paddy cultivation into four groups and the *nilamkrishi* comes under the third group. In paragraph 80 the Committee say :—

> ' Canals form the backbone of cultivation and in addition to their usual functions of drainage and irrigation are also the means by which the silt, which is the principal and, in most cases, the only manure the fields get is conveyed to the land when the rivers are in flood. The canals again form the only means of communication in this area".

The Committee rightly emphasise the proper preservation of the drainage system by conserving the *poramboke* canals. Recently, after the beginning of the fourth stage of the Cochin Harbour Scheme, the matter has assumed great importance. Because of the Cochin Harbour works there is not enough scope for rain water to flow out. Hence seasonal floods are doing greater havoc to paddy cultivation in Shertala, Ambalapuzha and other places. Government say that an Irrigation Department has been separately constituted to which generous allotments have been made. In actual practice we find a lot of unnecessary delay even in taking up the preliminary investigation of a scheme. A year ago I made representations to Government about the preservation of two or three canals in the Shertala taluk. Even during this session I had put an interpellation, to which the usual answer was given, namely, that the matter is at the stage of preliminary investigation. Sir, preservation of the irrigational system is one of the few occasions where Government can come into intimate touch with the agricultural population who form the backbone of the State. The poor ryots cannot appreciate the high policies of State. What they want are irrigational facilities. In these northern taluks the successful cultivation of paddy mainly depends upon seasonal rains. If the *porambokr* canals and drainage system are not kept up properly the agriculturists will not be able to do their cultivation. If water is not allowed to flow out, the seedlings will die out and the seasonal crop will be a failure. In these circumstances I would earnestly request the Government to give greater irrigational facilities.

MR. G. NILAKANTAN (*Nominated*): Sir, I wish to refer to one aspect of the question. Once I happened to be in a committee of Supervisors. One of them was an Irrigation Supervisor and the other a Roads Supervisor. The Roads Supervisor said that the work of the Irrigation Supervisor was useless He said that the Irrigation Supervisor does not know how to do his work. The other man protested. The result was that the Irrigation Supervisor broke down. I refer to this fact to show that an examination of the works of the department is necessary. There appears to be something wrong in the irrigation works. I was interested only as a contractor doing irrigation works.

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[Mr. G. Nilakantan]

One other incident also I wish to refer to. When the late Mr. V. P. Madhava Rao went to Shencotta on tour, the ryots told him that on account of want of repairs to tanks, irrigation suffered very much. He turned round and asked them why then they payed their tax.

DEPUTY PRESIDENT: The Dewan might not have said that seriously.

MR. A. THANU PILLAI (*Trivandrum—Urban*): May I ask whether the member has direct knowledge of that incident?

MR. G. NILAKANTAN (*Nominated*): Yes, I have direct knowledge.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): The resolution recommends that all the recommendations of the Minor Irrigation Committee be accepted and immediate steps be taken to carry them out. In the course of the debate, several other points have been raised, particularly in regard to the delay that has occurred in giving effect to the recommendations of the committee. Mr. Thanu Pillai said that it is now six years since the report was submitted. I think it is necessary, before explaining the action taken on the recommendations of the committee to justify the delay that has occurred in this matter. Mr. Kunjukrishna Pillai stated yesterday that an explanation was due from Government for the inordinate delay.

Sir, if Government have been expediting the disposal of the recommendations of any committee, it was of this. The committee submitted its report in October 1931, and, in December, Government issued orders on the report, appreciating the work of the committee. The report is a valuable document and is accompanied by a complete list of irrigation channels and tanks throughout the State covering about 150 pages of foolscap matter. Incidentally it was observed by a member yesterday that very heavy expenditure was incurred by Government on the committee. The expenditure, as may be seen from the report itself, did not exceed Rs. 10,000. That, however, is a digression.

Government obtained the proposals of the Chief Engineer for the creation of an Irrigation Officer in the latter half of 1933. It was considered that the creation of such an office was not only indispensable but should have precedence over all other items. Therefore a supplementary demand for Rs. 15,000 was moved in this House and orders were issued for appointing the necessary staff. In February 1934 orders were issued for the creation of a separate fund for the restoration of tanks and other irrigational facilities. As a result of representations made here and elsewhere Government wanted to amend the Irrigation Regulation. That was also recommended by the Minor Irrigation Committee. In October 1933, a conference was held by the Dewan and the question was discussed. It was decided that it would be expedient to revise the Bill in the light of the experience that would be gained by the separate Irrigation officers after one or two years of their appoint-

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ment. That is partly responsible for the delay to bring forward an amending Bill.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Do the Government consider that the Irrigation Officers are really gaining experince? Are they doing substantial work?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Government wanted to amend the Regulation after the officers had an opportunity of gaining experience.

MR. A. S. DAMODARAN ASAN (*Marelikara*): Was there any requisitions from the officers of the department that the amendment should be delayed?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Government considered that the officers will be able to comment upon the Bill only after gaining some experience.

MR. A. S. DAMODARAN ASAN (*Marelikara*) What were the points on which Government wanted the experience of these officers?

MR. K MADHAVA KURUP (*Ag. Secretary to Government*): These officers were working the Irrigation Regulation and the defects might be known to them.

The reports of the Division Officer and the Chief Engineer were received in July 1936 and Government were able to publish the Bill only in November last.

It has not been possible unfortunately to introduce the Bill in this House, but I am sure it will be introduced in the new Assembly.

MR. A. S. DAMODARAN ASAN (*Marelikara*): Was the Bill, that has been published, framed on the basis of the recommendations of the officers of the Irrigation Division based on their experience?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Government had the benefit of criticism of these officers on the draft Bill.

MR. A. S. DAMODARAN ASAN (*Marelikara*): What I want to know is, whether these are the only amendments suggested by the officers after their experience of a few years in the Irrigation Department.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): I did not say that the Bill was revised as a result of the opinions expressed by the Irrigation Officers.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the published Bill is before the House now?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): It was published under Rule 31 of the Travancore Legislative Rules.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether the officers of the Irrigation Division have anything to say as to how or why they allowed a major portion of the small amount allotted in the Budget to lapse at the end of the last two years, 1110 and 1111? Have Government anything to say in regard to that?

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MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): I will come to that.

The main recommendations of the Irrigation Committee are thirteen in number. The number "thirteen" is rather inauspicious. (*Laughter.*)

The first is—

"Agriculturists and planters should be warned against the evils resulting from the cultivation of grass and other forest lands adjoining sources of irrigation and instructed in the most scientific ways of carrying on such cultivation when it is considered inevitable."

The Government have issued orders to the Land Revenue and Income Tax Commissioner and the Director of Agriculture and Fisheries to take the necessary steps in the matter.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether the Government have received any report from these officers as to the steps they have taken?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): The Land Revenue Commissioner would surely have communicated this matter to his subordinate officers.

The second is—

"Irrigation officers should be given summary powers to deal with encroachments on irrigation works in their charge".

MR. N. E. VARUGHESE (*Tiruvalla I*). There is no answer for Mr. Thanu Pillai's question from the Government member.

DEPUTY PRESIDENT: I heard the answer being given. But if the member wants to put a question, he may do it.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): In regard to the grant of summary powers for Irrigation Officers provision has been made in Clause 11 (b) of the Irrigation Regulation Amendment Bill.

The third is

"The necessary investigation should be conducted in order to explore all possible means of extending paddy cultivation in the State."

An investigation for conducting lift irrigation in the taluks of Kunnatnad and Parur by electric current from the Pallivasal Hydro-Electric Scheme is being arranged for by the Division Officer, Irrigation, and the Electrical Engineer to Government.

The fourth is—

"Remission Rules should be made sufficiently elastic so as to be applicable under the varying conditions throughout the State."

This morning there was a discussion upon the applicability of the remission rules and to make it more elastic. The Government have sanctioned the extension of seasonal remissions of land tax in *Kayal* areas where there have been breaching of bunds.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is there any question of irrigation in *Kayal* area?

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MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): The recommendation was that the rule should be made more elastic. In regard to the general question of remission, I believe the House has already been told that, in fixing assessments, parallels from elsewhere would not hold good.

The fifth is—

"Government should waive their right to the recovery of a contribution or of a cess under the Regulation until further notice."

This has not been taken up by Government. Section 16 of the Irrigation Regulation is deemed sufficient for the present; Government have now got power to remit in whole or in part the cost of the work.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Have they exercised that power?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): In several cases where it has been proved that breaches have been caused by flood damages or any other natural causes, Government have done so.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is it not a general "waiver" that the committee has recommended?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): I believe Mr. Asan is coming forward with a resolution on this particular subject.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If the member satisfies me now with an assurance, I am not particular of moving that resolution at all

DEPUTY PRESIDENT: Considering limitations of time, the honourable member will do well to state the particular action taken by Government. If a series of recommendations are tackled on there will be no time.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): I was under the impression that I was doing so. There are 13 resolutions and I am dealing with them one after another.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, my point is this. If these can be dealt with in this resolution, why should I take the time of the House by moving another resolution? In my speech I laid much emphasis on this aspect.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): As I said, Government consider that Section 16 of the Irrigation Regulation is adequate for the purpose. Recently the Government have amended the rules so as to make the *pro rata* recoveries in 15 years time instead of 10. According to the estimates prepared by the Minor Irrigation Committee, the total cost of irrigation works has been estimated at about 35 lakhs. I do not know whether, on the strength of this committee report, Government would be justified in spending all that all at once and in foregoing their claim to Rs. 17½ lakhs. After all, the lands that require irrigation works are particular wet lands in specified areas in the State. It requires further examination to say that such a concession in favour of specified wet lands is justifiable.

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[Mr. K. Madhava Kurup.]

The sixth is—

"There should be a separate Irrigation Fund which should be cumulative as regards excess of early allotment over expenditure and a sum of not less than Rs. 5 lakhs per annum allotted until the necessary works are completed."

A separate Irrigation Fund has been created, and any balance left unexpended at the end of each year is added on to the fund and there will be no budget lapses. Since the formation of the fund in 1110, one lakh of rupees is being added on every year. It has not been possible for financial reasons, to allot five lakhs of rupees every year.

RAO SAHIB MAHAKAVI S. PARAMESVARA AIYAR (*Nominated*): May I know the total amount of the fund at the end of 1111?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Rs. 6 lakhs.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is this one lakh added on to irrigation fund taken from the unexpended allotment in the previous year, or from the general revenues?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Rs. 2 lakhs is taken from the general revenues. Last year Rs. 77,000 was added on to the fund.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the unexpended portion of the allotment for irrigation works is being added on to the general revenues?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): No, only to the Irrigation fund.

The seventh is—

"Government should provisionally be in charge of the maintenance of all irrigation works and a uniform cess of 4 chs. per acre be imposed after preservation of the relative irrigation works, except in certain specified areas."

Provision has been made in Clause 5 of the Irrigation Regulation Amendment Bill to give effect to this.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know when the amendment Bill was published?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): November 1936.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know the reason why it was not brought up earlier?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Unfortunately, the member was not here when I explained why some time had to be taken to publish the Amendment Bill.

The next recommendation deals with the formation of a separate P. W. D. Irrigation Divivision. That has been done.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Has the formation of a separate division given the desired result?

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MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): From the answers given this morning about the number of works completed during the last two years, the member should have been able to form a favourable impression.

About the precise cause of the periodic floods in Central and North Travancore being investigated and remedial proposals drawn up as stated in the ninth recommendation, the construction of a spill-way at Thottapally which will greatly remedy the periodic floods in Central Travancore is under consideration and will be taken up when funds become available.

In regard to all "petty" irrigation works being brought under the head "minor" and the necessary amendments being made in the Irrigation Regulation, provision has been made in the Irrigation Regulation Amendment Bill. Clauses 2,3,4,6 and 11 (*a*) of the Bill are intended for this purpose. This disposes of the tenth recommendation.

The eleventh recommendation is—

> "The necessary rules under the appropriate provisions of the Regulation as proposed should be brought into force to avoid the delay involved in following the existing rules and regulations regarding the construction and restoration of minor irrigation works."

Steps are in progress to devolve larger administrative powers on the Irrigation Executive Engineer. It is not considered necessary to make these powers statutory all at once. In regard to the main point raised in the debate about the cumbrous procedure, there is no provision in the Amendment Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether any step has been taken to avoid this cumbrous procedure now prescribed under the Regulation which causes delay?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): The delay is inevitable, because first of all the consent of the owners of lands has to be obtained, as the question of contribution comes up.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it not owing to the present provisions of the Regulation that the delay is unavoidable?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): As I said, the new Bill will come up before the Assembly at a future date and then it will be time enough to consider all the aspects of the question in detail. If these provisions are considered unsatisfactory it is open to the members to revise them both in the Select Committee and in this House by moving suitable amendments.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Does the member guarantee that these amendments will not be ruled out on the ground that they will affect the revenues of the State?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): I cannot give any such guarantee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether when Government drafted the new Bill, the question of avoiding the cumbrous procedure was adverted to, and whether they found it impossible to find out a less cumbersome procedure?

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MR. K. MADHAVA KURUP (*Ag. Secretary to Government*) : Government themselves have more than once admitted that the procedure is cumbrous. It is hoped that the provisions in the Bill will minimise delay.

Then the twelth recommendation is as follows :—

"New provision based on the Madras Irrigation Act should be added to the Irrigation Regulation so as to give Irrigation Officers the power to enter private lands for depositing or obtaining materials for irrigation works."

For that, provision has been made in Clause 9 of the Bill.

Then in regard to the last recommendation namely the total prohibition of registry of irrigation sources, it has been the practice not to register them unless the Irrigation Division Officer finds such registry not at all objectionable.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know in how many years, approximately, Government hope to get all work done; works costing Rs. 30 to 35 lakhs.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*) : Government have not laid out any definite programme of work spread over a specified term.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : The Committee has said that the work would cost Rs. 30 to 35 lakhs. May I know how many years approximately would be required to complete the works costing so much amount ?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*) : That will depend upon the funds available from year to year.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I wish to know in how many years Government expect to get these works done. Because it is irrigation, we cannot wait indefinitely.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*) : Government have not laid out any programme.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : What is the experience of the Irrigation Division Officers. If funds are available, in how many years can they get these works done ? Can they do it in two or three years, or will they take a century ? Are the Government earnest in the matter ?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*) : It will not be a century. The expenditure incurred year before last was Rs. 2 lakhs and odd and last year Rs. 3 lakhs and odd. It may be found possible to spend more money in the coming years.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know whether Government are satisfied that the Irrigation Division is doing the maximum amount of work possible, or do they expect them to do much more work after the rules are revised ? I wish to know whether Government are satisfied that the Irrigation Officers are doing the maximum amount of work that can be expected of them with the funds available ?

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MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): As a matter of fact, during the last one or two years they were mostly engaged in investigation work under Section 10. When the works are actually taken up there will be greater expedition.

MR. A. THANU PILLAI (*Trivandrum – Rural*): I wish to know whether Government have thought over the matter and come to any conclusion as to the approximate period within which these works will be done?

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): Not in regard to the period.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The Government Member has been saying that this report has received better attention than the report of any other committee appointed by the Government. Then I pity all the other reports. The report was submitted in 1931, and after six years when we come and move a resolution that that may be acted upon, the Government Member says that no other report has received such favourable treatment at the hands of Government as this report.

I will take recommendation No. 4, *i. e.*, that the "Remission rules should be made sufficiently elastic so as to be applicable under the varying conditions throughout the State." It will be borne in mind that this is the report of a committee in which the Chief Engineer, the Land Revenue Commissioner, the Financial Secretary, the Additional Head Sirkar Vakil and the Director of Agriculture were members. None of these officers has appended a dissenting minute to this recommendation in the report. After receipt of this report, Government forwarded it for the report of the Land Revenue Commissioner and he says that no change is needed in the rules except with regard to the *kayal* lands. Is this justifiable? To ask the Land Revenue Commissioner to sit in revision over the report of a committee in which himself and four other eminent officers took part, is a procedure which I cannot understand. And what is it that the Government say? They say that the Revenue Commissioner's opinion is acceptable and they decide accordingly? It is this Commissioner's predecessor together with other officers that sat in this Committee. In answer to a question of mine this morning the Government Member said that individual cases will be decided on their own merits. When an application for remission of tax on sufficient grounds is made to the Government, there is no obligation cast upon either the Government or this officer to conduct an enquiry in the matter and come to a correct decision. If there are rules, an obligation will be cast upon the departmental officers to enquire into the matter and submit their reports. But now if an application is presented, that can be disposed of in whatever manner they like. I would draw the attention of this House only to one illustration. About eight years ago, I brought to the attention of the Government the complete failure of crops in certain areas. The Land Revenue Commissioner accompanied me to the

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[Mr. A. S. Damodaran Asan]

place and was convinced that there was real failure of crops. He reported to the Government that remission was necessary. The Government then asked for a report from the Division Peishkar, Quilon; and he said that these were usual complaints and therefore no remission need be granted. Government passed orders according to the recommendation of the Peishkar who had not seen the land, as against the recommendation of the Land Revenue Commissioner who went to the spot and satisfied himself about the failure of the crops. Why I draw the attention of this House to this particular incident is to show that when there are remission rules they have to be administered properly and if there are no such rules no relief is usually obtained. So I am of opinion that the single ground that the Government have decided not to make the remission rules elastic is sufficiently strong for me to press this motion to a division to show that the representatives of the people cannot countenance such an attitude on the part of the Government.

Another point which I whish to refer to is about Section 16. What is the answer to that? The Government Member has been stating that Section 16 which has been in existence from 1072 is an ample safeguard. Safeguard for whom? Safeguard for the Government, and not for the people who want protection and they are not prepared to effect any change in regard to that. So, my view is that the present procedure is very cumbersome and that it is not possible to carry out the works without delay. In answer to another question of mine this morning the Government Member answered thus:—

"Q: Whether it has been realised by the Irrigation Department or the Government that the delay is due to the preliminary steps that are now taken under the Irrigation Regulation for getting the consent of the land-oweners for paying cess or contribution?

A: Yes; the preliminary steps referred to cause delay in getting estimates sanctioned."

There is that answer and even then he is now saying that there is no necessity to change that procedure.

MR. K. MADHAVA KURUP (*Ag. Secretary to Government*): May I correct the member? Does the answer say that preliminary steps are not necessary?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That does not say so. Even if the Government Member is going to say like that I am not going to accept it. The Regulation says otherwise. That is the most important matter. I want the Government to see that they do not adopt this heartless attitude in the matter of spending even a few hundred rupees on irrigation works which will materially advance the prosperity of the country. There is absolutely no justification for saying that unless the Government get 6 per cent. interest—an interest much higher than payable by any Government or Debenture bonds—or the people return the amount within a period of 15 years, the work shall not be carried on, and that for that purpose if the parties do not agree in

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writing, the whole scheme may be dropped. This should not find a place in any Irrigation Scheme. These are two important points on which steps should have been taken. On the other hand they tell us that they appointed a large number of officers even three years back. Probably that would help the persons who were appointed. It does not help the poor ryots. So unless the Government undertake to effect the necessry changes in the Irrigation Regulation and also agree to make the remission rules sufficently elastic so as to extend the benefits of the same throughout the State, I would be compelled to press this resolution to a division.

DEPUTY PRESIDENT: So, unless there is an undertaking to do all these three things, you want to press it?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes.

The motion was put to vote and carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I demand a poll.

A poll was taken and the House divided as follows:

AYES—36.

1	Mr. N. Abdur Rahiman Sahib	19	Mr. T. Krishna Pillai
2	,, K. C. Abraham	20	,, K. Kunjukrishna Pillai
3	,, T. K. Alexander	21	,, K. M. Kuriakose
4	,, A. Achyuthan	22	,, K. Madhavan
5	,, V. T. Chacko	23	,, M. K. Madhavan Pillai
6	,, A. S. Damodaran Asan	24	,, P. C. Narayanan Bhattatiripad
7	,, A. Easwara Pillai (Kalkulan II)	25	,, Pacode A. Narayana Pillai
8	,, K. R. Elenkath	26	Srimati T. Narayani Amma
9	,, Antony George	27	Mr. S. Nilakanta Pillai
10	Miss Hepzibah Gnanasikamony	28	,, K. Padmanabhan
11	Mr. S. J. Nair	29	Rao Sahib S. Paramesvara Aiyar
12	,, J. M. Joseph	30	Mr. Changanachery K. Paramesvaran Pillai
13	,, T. C. Joseph	31	,, V. Ramakrishna Panickar
14	,, N. Kesava Panickar	32	,, R. Sivaraman Nair
15	,, K. M. Krishnan	33	,, A. Thanu Pillai
16	,, K. P. Krishna Menon	34	,, P. K. Thomas
17	,, N. K. Krishna Pillai	35	,, N. E. Varughese
18	,, Puthupalli S. Krishna Pillai	36	,, T. P. Velayudhan Pillai

NOES—12.

1	Mr. C. V. Chandrasekharan	8	Mr. K. R. Narayana Aiyar
2	,, K. George	9	,, G. Nilakantan
3	,, T. T. Kesavan Sastri	10	,, Kayalam Paramesvaran Pillai
4	Rao Bahadur Dr. N. Kunjan Pillai	11	,, R. Pitchu Aiyangar
5	Mr. C. Kumara Das	12	Rao Bahadur A. Rengasvami Aiyar
6	,, C. O. Madhavan		
7	,, K. Madhava Kurup		

NEUTRALS—Nil.

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MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : There are two members present in the House who do not come under any of those categories.

DEPUTY PRESIDENT : The counting is done by me assisted by the Secretary and the staff. It is quite open to any member to vote as he likes. I do not find anything has happened as the honourable member has said. Therefore, I do not propose to throw my protection over those who did not care to be included in any of the three categories.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, on a point of order. Is it not the duty of every member to stand up under one or other of the three categories ?

DEPUTY PRESIDENT : Unless specific facts are placed before me, I cannot proceed with the matter. Is there any member who did not stand up at all ?

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Is it not the rule that a member who is neither for nor against is neutral ?

DEPUTY PRESIDENT : I do not think the matter is so important as to necessitate a ruling. If instead of giving vague statements Mr. Narayana Pillai would name the persons who did not get up at all under any of the three classes,.....

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : I submit, Sir, two honourable members, Messrs. Changanachery Parameswaran Pillai and N. E. Varughese did not stand up under any of the classes.

MR. N. E. VARUGHESE (*Tiruvalla I*) : The member is uttering false hood, Sir; I stood up in favour of the resolution.

DEPUTY PRESIDENT : As a matter of policy, honourable members should give their vote for or against, or should declare that they are neutral and stand up when requested to do so. It is a matter of combined duty and courtesy. But if any member does not do it, it is not such a serious matter for the Chair to take notice of.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : My name has also been mentioned. Sir, I request you to go through the list and see whether I have not voted for the resolution.

MR. N. E. VARUGHESE (*Tiruvalla I*) : Similarly for me also, Sir.

DEPUTY PRESIDENT : At the fag end of the session, I do not ordinarily like to make any remarks unless they are absolutely necessary. When the matter was referred to me, I said that getting up was a matter of combined duty and courtesy. Since then, here is the word spoken in open Assembly by Mr. Changanachery Parameswaran Pillai that he did vote according to his light and that his name has appeared in the voting paper. That statement is absolutely reliable and must be scrupulously respected. That being the case we shall leave the matter there ; and I wish to say that honourable members should not raise such points unless they are sure of their facts.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : Sir, I would like the matter to be finally decided by referring to the voting list.

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DEPUTY PRESIDENT: The matter has been decided that Mr. Changanachery Paramesvaran Pillai did vote, and that his vote was taken into consideration and the same remark applies to Mr. Varughese as well.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): In that case, I would request that, consistent with the dignity of the House the Chair should direct the honourable member to withdraw his statement that two honourable members did not take part in the voting.

DEPUTY PRESIDENT: From the manner in which I have made the observation from the Chair, I suppose the House will be satisfied of the decision of the matter. It did not occur to me that it was the result of a design by the honourable member; it might have been only a slip. Anyhow, the mistake has been rectified; I hope the House will be satisfied with that.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Whether it was designed or was only a slip, the statement is there. In either case, it is open to you Sir, to ask the member to withdraw.

DEPUTY PRESIDENT: Exercising my judgment, I think the matter may be left there, unless the House as a body wants serious action to be taken. I am quite sure the member who made that statement regrets for it. It is for the Chair to see that. But there are certain matters to be presumed.

APPOINTMENT OF TRADE AGENTS IN EUROPE.

MR. S. J. NAIR (*Nedumangad*): Sir, the resolution which I beg to move is as follows:—

"This Assembly recommends to Government that Trade Agents be appointed in European Countries".

Sir, this resolution is an important one considering the poverty of the people here, the absence of scope for immediate development of industries in the land, and the lack of knowledge of suitable markets in foreign countries to export our products. Travancore is mainly an agricultural country. The population of Travancore is increasing day by day. But the extent of lands suitable for cultivation remains as it was. The agriculturist is immersed in an ocean of debts. The average agricultural income per person is Rs. 40 per year. Out of this, Rs. 75 is to be paid for his debts. How to save the people and the State from this poverty stricken condition. That is the question that confronts this House and the people of the country. As a solution for this serious problem, the Government should find out means to increase the land available for cultivation. Firstly, we must look into the question whether more lands could be made available in Travancore for cultivation purposes.

DEPUTY PRESIDENT: The availability of land for cultivation in Travancore has very little to do with the appointment of Trade Agents.

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